



ఆంధ్రప్రదేశ్ రాజపత్రము

THE ANDHRA PRADESH GAZETTE

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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

COLLECTOR & DISTRICT MAGISTRATE, ANANTHAPURAMU.

Rc.No.MC3 / 361 / 2022.

Dated: 04-12-2022.

CASTE VERIFICATION - APSRTC EMPLOYEES - ANANTHAPURAMU DISTRICT - ANANTHAPURAMU DIVISION - ANANTHAPURAMU TOWN - ENQUIRY CONDUCTED BY THE DISTRICT LEVEL SCRUTINY COMMITTEE ON THE CASTE STATUS OF Sri K. LAKSHMI NARAYANA S/o THIPPAIAH WHO OBTAINED **SUGALI (ST)** CASTE CERTIFICATE AND GOT EMPLOYMENT IN APSRTC - DLSC SUBMITTED FINDINGS AND RECOMMENDED FOR CANCELLATION OF SUGALI (ST) CASTE CERTIFICATE - CASTE CERTIFICATE CANCELLED - WRIT PETITION No.38573 OF 2018 FILLED BY Sri K. LAKSHMI NARAYANA S/o THIPPAIAH BEFORE THE HON'BLE HIGH COURT - ORDERS PASSED AS SET ASIDE THE ORDERS OF THE DISTRICT COLLECTOR, ANANTHAPURAMU PASSED IN RC.No.MC3/11124/2011, DT.05.01.2018 - FURTHER DLSC SUBMITTED FINDINGS - CANCELLATION OF CASTE CERTIFICATE.

Ref :	1. R/o Certain workers belonging to SC/ST communities, working in the APSRTC, Ananthapuramu District, dt: 24-9-2011. 2. This Office Rc.No.MC3/11124/2011, dt.05.01.2018. 3.Tahsildar, Garladinne Ir.Rc.No.C/22/2018,dt.25.01.2018. 4.Revenue Divisional Officer, Ananthapuramu Ir.Rc.No.C/208/2018, dated. 02.02.2018.
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	5.District Tribal Welfare Officer, Ananthapuramu Ir.Rc.No.C/10/2018, dt. 23.04.2018.
	6.Note orders of the Joint Collector & Chairman, DLSC., Ananthapuramu dt.28. 05.2018.
	7.Case sheet of the D.L.S.C., Ananthapuramu, dt.04.07.2018.
	8.Findings of the D.L.S.C., Ananthapuramu, dt.08.07.2018.
	9.This Office Proceedings Rc.No.MC3/11124/2011, dt.13.08.2018.
	10. Writ Petition No.38573 filed by Sri K. Lakshmi Narayana S/o K.Thippaiah, Head Constable, APSRTC., Ananthapuramu depot before the Hon'ble High Court of Judicature, AP., Hyderabad.
	11.Hon'ble High Court of A.P. Orders dt.14.07.2021.
	12.Note orders of the Collector & District Magistrate, Ananthapuramu dt.17.10.2021.
	13.Orders of the Joint Collector & Chairman DLSC, Ananthapuramu dt.31.05.2022.
	14.Case Sheet of the D.L.S.C., Ananthapuramu, dt.10.06.2022.
	15.Findings of the D.L.S.C., Ananthapuramu, dt.09.11.2022.

ORDER:-

The APSRTC workers belongs to SC/ST communities have put in a petition to the District Collector, Ananthapuramu stating that, Sri K. Lakshmi Narayana S/o Thippaiah got job in APSRTC, Ananthapuramu region by producing false **Sugali (ST)** caste certificate.

The Regional Manager, APSRTC, Ananthapuramu has been addressed to furnish the caste certificate and present residential address of Sri K. Lakshmi Narayana S/o K.Thippaiah. The Regional Manager, APSRTC, Ananthapuramu has furnished the Xerox copy of caste certificate and residential address of Sri K. Lakshmi Narayana S/o K. Thippaiah, D.No.9-3-79, Indira Nagar, Uravakonda Village and Mandal for taking further action in the matter and the above matter was referred to the Tahsildar, Uravakonda for discreet enquiry into the caste status of Sri K. Lakshmi Narayana S/o K. Thippaiah.

Accordingly, the Tahsildar, Uravakonda has submitted report duly stating that, Sri K. Lakshmi Narayana S/o K. Thippaiah is the temporary resident of D.No.9-3-79, Indira Nagar, Uravakonda Village and Mandal. He is working as Head Constable in Uravakonda APSRTC depot. The **ST-Sugali** caste certificate has been issued to him by the Tahsildar, Garladinne who is a native of Garladinne Village and Mandal. Finally, the Tahsildar, Uravakonda has stated that the caste status of the above individual may be enquired with the Tahsildar, Garladinne as his parents and blood relatives are residing in Garladinne Mandal.

Later, the then District Collector, Ananthapuramu has referred the case to the District Level Scrutiny Committee, Ananthapuramu for scrutiny and findings. Again the Regional Manager, APSRTC has been addressed to furnish present residential address of Sri K.Lakshmi Narayana S/o K.Thippaiah to enquire into the caste status. The Regional Manager, APSRTC., Ananthapuramu has furnished the present residential address of Sri K.Lakshmi Narayana S/o K.Thippaiah of Garladinne Village and Mandal for taking further action in the matter.

The above matter was referred to the Revenue Divisional Officer, Ananthapuramu and District Tribal Welfare Officer, Ananthapuramu to conduct discreet enquiry into the caste status of Sri K. Lakshmi Narayana S/o K.Thippaiah of Garladinne Village and Mandal. The Tahsildar, Garladinne has submitted a report duly stating that Sri K. Lakshmi Narayana S/o K. Thippaiah is a resident of Garladinne Village and Mandal belongs to **Sugali-ST** community.

The Revenue Divisional Officer, Ananthapuramu has submitted report duly stating that Sri K.Lakshmi Nayarana S/o K.Thippaiah is the resident of Garladinne village and Mandal. He is the native of Chapiri village, Kalyandurg Mandal. In the year 1980, his father shifted the entire family to Garladinne village and Mandal. He is having three sons and two daughters. Among them, Sri K.Lakshmi Narayana (applicant) is the last son of K. Thippaiah. At present, Sri K.Lakshmi Narayana is said to be working at APSRTC Uravakonda Depot as a Constable. Further reported that, as verified his Transfer Certificate bearing Admission No.1436/1991-92 his caste is mentioned as Sugali (ST). One of the sisters of K.Lakshmi Narayana got married in Singampalli Thanda village of Kudair mandal to corroborate the evidence that they belongs to Sugali (ST) caste. The surname of Lakshmi Narayana is Kamsali. Sri K.Thippaiah F/o K. Lakshmi Narayana is doing his livelihood by way of Carpenter.

The Revenue Divisional Officer, Ananthapuramu has reported that Sri K. Lakshmi Narayana S/o K. Thippaiah, Garladinne village and mandal belongs to **Sugali (ST)** community.

The District Tribal Welfare Officer, Ananthapuramu has submitted a report and stating that Sri K.Lakshmi Nayarana S/o K.Thippaiah is resident of Garladinne village and Mandal. His native place is Chapiri Village of Kalyandurg Mandal. He is working as Constable in Uravakonda Mandal. Sri K.Thippaiah is having three sons and two daughters. Among them, his one sister got married to one in Singampalli Thanda village of Kudair Mandal and corroborates the evidence that they belongs to **ST – Sugali**. Finally, the District Tribal Welfare Officer, Ananthapuramu has reported that, Sri K.Lakshmi Narayana S/o K.Thippaiah, Garladinne village and Mandal belongs to **Sugali (ST)** community.

The then Joint Collector & Chairman, District Level Scrutiny Committee, Ananthapuramu has issued Notice in Form – VI to the above individual to attend for enquiry on 01.06.2018 at 04.00 P.M. before the Joint Collector, Collector's Office, Ananthapuramu along with all documentary evidences in support of his community claim.

The then Joint Collector & Chairman, DLSC, Ananthapuramu has convened the DLSC Meeting on 01.06.2018 at Joint Collector's Chamber, Collector's Office, Ananthapuramu with the DLSC committee members. In obedience to the said Notice, he has appeared before the DLSC.

Further, the then Joint Collector & Chairman, DLSC, Ananthapuramu has examined the case in detail and asked questions regarding customs and traditions being followed by family. Accordingly, the individual has stated that he is native of Chapiri village of Kalyandurg Mandal who belongs to Sugali (ST) caste. He is working as Head Constable in APSRTC Ananthapuramu Depot and submitted his caste certificate issued by the then Mandal Revenue Officer, Garladinne Mandal. He failed to explain the customs and traditions of Sugali community.

Further, the District Level Scrutiny Committee, Ananthapuramu have unanimously felt that Sri K.Lakshmi Narayana S/o K.Thippaiah does not belongs to Sugali (ST) caste. He deposed a statement that he is aged about 42 years who belongs to Sugali (ST) caste and his surname is Kamsala. At present, he is residing in D.No.17/1/51, Venugopal Nagar, Anantahpuarmu who is working as Head Constable in APSRTC Ananthapuramu Depot.

In this instant case, the Revenue Divisional Officer, Ananthapuramu in letter.Rc.No.C/208/2018, dt.02.02.2018 has submitted a report stating that Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of Garladinne mandal belongs to Sugali (ST) community. The District Tribal Welfare Officer, Ananthapuramu in Ir.Rc.No.C/10/2018, dt.23.04. 2018 has also submitted a report stating that Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of Garladinne mandal belongs to Sugali (ST) community. But the DLSC opined unanimously that he does not belongs to Sugali (ST) community.

The then Joint Collector & Chairman, DLSC., Ananthapuramu has opined that the caste certificate i.e., Sugali (ST) obtained by Sri K. Lakshmi Narayana S/o K.Thippaiah of Ananthapuramu Town is a bogus one and the report of the District Tribal Welfare Officer, Ananthapuramu and the Revenue Divisional Officer, Ananthapuramu is not reflecting the real caste of the above individual.

Accordingly, all the DLSC committee members, Ananthapuramu have signed on the Case Sheet duly concluding that, Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu town does not belongs to **Sugali (ST)** community.

The then Joint Collector & Chairman, District Level Scrutiny Committee, Ananthapuramu has agreed the facts with the opinion of members of "District Level Scrutiny Committee" that Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu town does not belongs to the caste and community of Sugali (ST). The caste certificate obtained by Sri K. Lakshmi Narayana S/o K. Thippaiah from the then Mandal Revenue Officer, Garladinne is false one and liable for cancellation.

Under section 5 (1) of AP (SC, ST and BC) Regulation of issue of Community, Nativity and Date of Birth Certificate Act 16 of 1993 r/w Sub-Rule 7 of Rule 9 of AP (SC, ST & BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated in G.O.Ms.No.58 of Social Welfare Department, dt.12.05.1997, the District Collector is competent to cancel the caste certificate.

Basing on the facts reveled in enquiry the caste certificate was cancelled by the then Collector & District Magistrate, Ananthapuramu and cancellation proceedings & Notification issued, declaring that Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu town does not belongs to **Sugali (ST)** community and the caste certificate obtained from the then Mandal Revenue Officer, Garladinne is false one.

Aggrieved by the orders of the Collector & District Magistrate, Ananthapuramu Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu has filed Writ Petition vide W.P.No.38573 of 2018 before the Hon'ble High Court, Andhra Pradesh, Amaravati and the Hon'ble High Court has passed the following orders in W.P.No.38573/2018 dated:14.07.2021.

As seen from the said Section, after enquiry into the correctness of the certificates and if the District Collector comes to a conclusion that the certificate was obtained fraudulently, he shall by notification, cancel the certificate after giving a person concerned an opportunity of making representation.

Admittedly, no opportunity was given to the petitioner. Apart from that, the proceedings of the Collector and District Magistrate, Ananthapuramu, dated:07.07.2018, show that the Revenue Divisional Officer has stated that the petitioner belongs to Sugali (ST) Community. It also shows that the District Tribal Officer also submitted a report stating that the petitioner belongs to Sugali (ST) Community;

inspite of the said two recommendations, the District Level Scrutiny Committee opined that the customs, traditions and way of living of the petitioner are quite different from the customs and traditions and way of living of the people belonging to the Sugali caste and that the petitioner failed to produce the documentary evidence to prove that he belongs to Sugali (ST) Community and cancelled the caste certificate.

However, as counter affidavit does not show compliance of Section 5(1) notice, the impugned order is set aside, giving liberty to the respondents to issue notice to the petitioner and take appropriate action in accordance with law.

Hence, the case was referred to the District Level Scrutiny Committee, Ananthapuramu for enquiry of the Committee to furnish findings for taking further action in the matter.

Accordingly, the Joint Collector & Chairman, DLSC, Ananthapuramu has issued orders that the case is posted on 07.01.2022 for hearing. On 07.01.2022 the DLSC meeting has been convened at Joint Collector's Chamber, Collector Office, Ananthapuramu with DLSC Committee Members regarding the caste status of Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu town and the committee members informed to K.Lakshmi Narayana to produce any material, documentary evidences in order to prove his caste as **Sugali (ST)**.

Further, the Joint Collector & Chairman, DLSC, Ananthapuramu has issued a notice in Form-VI to above individual to attend for enquiry on 10.06.2022 at 11.00 A.M. before the Joint Collector's Chamber, Collector's Office Ananthapuramu with a request to furnish all the documentary evidences in support of his community claim.

Accordingly the Joint Collector & Chairman DLSC, Ananthapuramu has convened the meeting on 10.06.2022 @11.00 A.M at Joint Collector's Chamber, Collector's Office, Ananthapuramu with DLSC Committee Members regarding the caste status of Sri K. Lakshmi Narayana S/o K. Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu.

The Joint Collector & Chairman DLSC, Ananthapuramu examined the case in detail and asked for basics of Sugali Tribe and associated Socio-cultural milieu. He could not produce any single description of Sugali caste/tribe.

Sri K. Lakshmi Narayana S/o K. Thippaiah could not speak Sugali, Lambadi language though he claimed that he learnt in his childhood as mother tongue and later on forgot. Forgetting mother tongue is not possible with present human capabilities and Pediatric-Neuro scientific researches.

He could not describe any custom, tradition, deity related stories of Sugali Tribe. As the rule lies down stress on 'burden of proof' over applicant/petitioner, he miserably failed beyond doubt.

Further Sri K. Lakshmi Narayana S/o K. Thippaiah deposed a statement stating that he is a resident of D.No.22-302, Mahaldar street, Anantapuramu, worked as Head Constable, APSRTC, R.M Office, Ananthapuramu attended before the Joint Collector, & Chairman, DLSC committee members on 10.06.2022. DLSA committee enquired about his parents, ancestors, caste, Occupation, festivals celebrated, culture and traditions of Sugali caste. In response to that, he stated his parents' names are Thippaiah and Balamma their ancestors belongs to pothuganipalli, Pavagada Taluk, Karnataka state. His parents profession is "Kamsali", hence their surname is mentioned as "**Kamsali**" further he stated that, Deepavali is their main festival, their home Goddesses is "Rupla Bhavani Ammavaru", and he did not know about culture and traditions of Sugali caste. In transfer certificate his caste is mentioned as ST (Sugali) Basing on the Sugali (ST) caste he obtained Job as Constable in APSRTC. Finally he has requested to confirm his caste as Sugali (ST).

Finally, the District Level Scrutiny Committee, Ananthapuramu opined that Sri K. Lakshmi Narayana S/o K. Thippaiah, Venugopal nagar, Ananthapuramu has failed to prove his caste and to explain about the traditions and customs of Sugali Caste. As per rule lays down stress on 'burden of proof' over applicant/petitioner, he miserably failed beyond doubt.

On observation of the above explanations, documentary evidences submitted by the applicant and enquiries undertaken in this regard, **the Joint Collector & Chairman of the DLSC and the DLSC committee members have concluded that Sri K. Lakshmi Narayana S/o K. Thippaiah, Venugopal nagar, Ananthapuramu does not belongs to Sugali (ST) Community.**

Accordingly, Case sheet has been prepared, the District Level Scrutiny Committee members, Ananthapuramu have signed duly concluding that Sri K. Lakshmi Narayana S/o K. Thippaiah, Venugopal nagar, Ananthapuramu does not belongs to Sugali (ST) Community.

The Joint Collector & Chairman, DLSC Ananthapuramu, has agreed the facts with the opinion of members of "the District Level Scrutiny Committee" that **Sri K. Lakshmi Narayana S/o K. Thippaiah, R/o D.No.17/1/51, Venugopal nagar, Ananthapuramu town does not belongs to the Caste & Community of Sugali (ST).** Accordingly, the findings of the Joint Collector & Chairman, DLSC Ananthapuramu, are submitted for kind perusal.

As per the orders of the Hon'ble High Court of A.P notices has been issued to Sri K.Lakshmi Narayana S/o K.Thippaiah duly giving an opportunity to prove his caste before the DLSC Ananthapuramu. According to findings produced by the Joint Collector & Chairman, DLSA, Ananthapuramu he miserably failed to prove his caste

I have verified the records as well as documents produced by the applicant. After perusing the above factors with a critical view, I am convinced that the District Level Scrutiny Committee have rightly recommended and declaring that the caste status of Sri K. Lakshmi Narayana S/o K. Thippaiah Venugopal nagar, Ananthapuramu town does not belongs to Sugali-ST Community.

In View of the above Circumstances and in exercise of powers conferred under Sub Rule 7 of Rule 9 of A.P by the Government under Rule (9) of A.P (SC,ST & BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated in (G.O.Ms.No.58 of Social Welfare Department, dt.12.05.1997) read with section 5 (i) of A.P. (SCs, STs and BCs) Regulation of Issue of Community, Certificates Act 16/93, I, Ms.Nagalakshmi.S, I.A.S., Collector and District Magistrate, Ananthapuramu is hereby cancelled the Sugali (ST) caste certificate obtained by Sri K.Lakshmi Narayana S/o K.Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu Town, Ananthapuramu District, Andhra Pradesh state from the then Mandal Revenue Officer, Garladinne and other caste certificates if any obtained later on, with immediate effect duly declaring that the individual does not belongs to Sugali (ST) Community.

A notification to this effect shall be published in the District Gazettee extraordinary.

An appeal against this order lies before the Government within thirty (30) days from the publication of order in the Andhra Pradesh Gazette as per Section 7(2) of Act 16 of 1993.

NAGALAKSHMI S,
Collector & District Magistrate,
Ananthapuramu.

To

Sri K.Lakshmi Narayana S/o K.Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu Town, Ananthapuramu District.

Sri K.Lakshmi Narayana S/o K.Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu Town, Ananthapuramu District. (Through the Tahsildar, Ananthapuramu) the Tahsildar, Ananthapuramu should serve the order copy on the individual and submit the served copy to this office immediately (BY RPAD).

NOTIFICATION**Rc.No.MC3/11124/21/2011**

Collectorate, Ananthapuramu

Dated: 04/12/2022

In view of the recommendations of the District Level Scrutiny Committee and in exercise of powers conferred under section 5 (1) of the A.P. (SC/ST/BC) Issue of community certificate Act, 1993 r/w Sub-Rule (7) of Rule 9 of A.P. (SC/ST/BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997 communicated vide G.O.Ms.No.58, Social Welfare (J) Department, dt:12-05-1997, I, Ms.Nagalakshmi.S, I.A.S., Collector & District Magistrate, Ananthapuramu do hereby cancel the "Sugali" ST caste certificate issued to Sri K.Lakshmi Narayana S/o K.Thippaiah, resident of D.No.17/1/51, Venugopal Nagar, Ananthapuramu Town, Ananthapuramu District by the then Tahsildar, Garladinne, is here by cancelled duly declaring that the individual does not belongs to "Sugali" ST Community.

NAGALAKSHMI S,
Collector & District Magistrate,
Ananthapuramu.

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